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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/715,906	11/17/2000	Bruce E. Walsh	MUZ-001.01	5600

25181 7590 11/29/2001

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BOSTON, MA 02109

EXAMINER

AGDEPPA, HECTOR A

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 11/29/2001

6

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/715,906

Applicant(s)

WALSH ET AL.

Examiner

Hector A. Agdeppa

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 November 2000 and 23 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 November 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5. 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1, 2, 4 – 7, 10 – 13, 15 – 17, and 19 – 23 are rejected under 35

U.S.C. 102(b) as being anticipated by Shaffer et al.

Shaffer et al. teaches a system and method of collaborative conference bridges, wherein multiple bridges may be used to transfer calls among, depending on various chosen or determined resource or timing or cost restrictions as claimed in the present invention. In other words, a call is received on a channel and depending on the aforementioned restrictions, a first, second, or further resource is chosen to handle the call on the channel or chosen to transfer thereto the call. Shaffer et al. further teaches the prevention of call interruptions relating to call direction reversal, but would be inherent as well when considering the moving of a channel inasmuch as no breaks in communication are desired during any type of conversation or communication. Furthermore, Shaffer et al. teaches the various conference bridges such as bridge 10 having a manager 12, computation component 14, interface 16, exchange component 17 for communicating with and exchanging information with other bridges, the information inherently including voice data, control data, talk level data, etc. Further inherent is the redundancy of the plurality of bridges which could be due to some sort of

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failure or down-time inasmuch as there is no distinction to be made when choosing to allocate a resource to a call – only that one resource may be unavailable for some reason and another must be chosen. (Abstract, Col. 3, lines 21 – 39, Col. 4, line 2 – Col. 11, line 37)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 3, 8, 9, 14, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer et al.

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Regarding claims 3 and 8, Shaffer et al. has been discussed above. What Shaffer et al. do not teach is the resources or bridges being digital signal processors (DSP).

However, DSPs are well known in the art and in fact are becoming more and more commonplace in the telecommunications arts replacing older or simply less effective processors. It therefore, would have been an obvious choice to one skilled in the art to employ DSPs instead of traditional processors. The use of DSPs alone, do not provide patentability. Furthermore, the physical makeup of an audio conferencing system is well known and inherently includes interface cards, the aforementioned DSPs, various busses and memory units.

Regarding claims 9, 14, and 24, Shaffer et al. has been discussed above. What is not taught by Shaffer et al. is the use of a time-slot interchange bus.

However, the same reasoning applied to the use of DSPs may be applied to the use of these types of busses inasmuch as their use is a design choice as well. Whether a time-slot bus or perhaps a "coded" bus, wherein codes are appended to data packets instead of using specific time slots again, does not provide patentability.

Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer et al. in view of Wagner et al.

Shaffer et al. has been discussed above, but does not teach the use of a buffer, even though it teaches not allowing audible breaks in a conference.

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However, Wagner et al. teaches the use of buffers when transferring data or voice between resources. The use of buffers for this purpose are very well known in the art and would have been obvious to one skilled in the art to employ in the invention of Shaffer et al. so as to provide for uninterrupted conferencing or conversations as noted in both Shaffer et al. and Wagner et al. (Col. 7, line 55 – Col. 8, line 52)

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Pat 5,689,553 (Ahuja et al.) teaches a multimedia telecommunications network and service employing the use of multiple bridges. US Pat 5,719,928 (Pinnell et al.) teaches an apparatus and method for automated audio teleconferencing having enhanced billing and reservation features. US Pat 5,812,652 (Jodoin et al.) teaches centralized management and allocation of bridges in a telecommunications network for a meet-me conference service. US Pat 6,181,786 (Detampel, Jr. et al.) teaches a method and apparatus for on-demand teleconferencing.

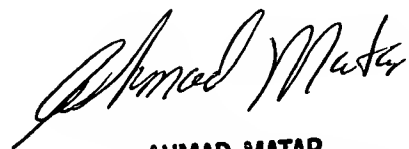
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hector A. Agdeppa whose telephone number is 703-305-1844. The examiner can normally be reached on Mon thru Fri 9:30am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on 703-305-4731. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-5858 for regular communications and 703-308-5403 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

H.A.A.
November 15, 2001



AHMAD MATAR
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